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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/618,399	07/11/2003	Yun Hsu Lin		5523
25859	7590	02/15/2005		EXAMINER
WEI TE CHUNG FOXCONN INTERNATIONAL, INC. 1650 MEMOREX DRIVE SANTA CLARA, CA 95050			VU, PHUONG T	
			ART UNIT	PAPER NUMBER
			2841	

DATE MAILED: 02/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/618,399	LIN ET AL.
	Examiner	Art Unit
	Phuong T. Vu	2841

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

1) Responsive to communication(s) filed on 09 December 2004.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

4) Claim(s) 1-20 is/are pending in the application.  
 4a) Of the above claim(s) 4,6-9 and 17-20 is/are withdrawn from consideration.  
 5) Claim(s) 1 and 2 is/are allowed.  
 6) Claim(s) 3,5,10-16 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_.

4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date \_\_\_\_\_.  
 5) Notice of Informal Patent Application (PTO-152)  
 6) Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 3, 5, 10-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Mitchell (US 6,426,459 B1). Regarding claim 3, the reference discloses an EMI-attenuating ventilation panel 10 for an electronic device enclosure comprising an electronically conductive base plate 24, and a plurality of polygonal vents 54 defined in the base plate, each of the vents having a plurality of sidewalls extending upwardly from the base plate on respective sides thereof.

Regarding claim 5, the vents comprise alternatively arranged first and second vents.

Regarding claim 10, for each of said polygonal vents on the outermost edges, not all the sides have the corresponding sidewalls extending therefrom, respectively (see figure 5).

Regarding claim 11, for each of said polygonal vents, the corresponding sidewalls are alternatively arranged for at least every two adjacent sides thereof.

Regarding claim 12, for each of said polygonal vents, EMI shielding can be achieved by not only the sidewalls extending from the corresponding sides thereof, but also the corresponding sidewalls of the neighboring vents which are located beside the other sides having no sidewalls extending therefrom.

Regarding claim 13, the reference discloses an electronic device enclosure comprising a casing 24 and at least one EMI attenuating air ventilation panel attached to the casing, the at least one panel comprising a plurality of polygonal vents 54 defined therein forming a vent array, each of the vents having at least two sidewalls integrally extending upwardly from the panel.

Regarding claim 14, each of the vents in an inner portion of the vent array is surrounded by four of the sidewalls.

Regarding claim 15, wherein the sidewalls comprise first sidewalls and second sidewalls.

Regarding claim 16, wherein both the first sidewalls and the second sidewalls are perpendicular to the base plate.

***Allowable Subject Matter***

3. Claims 1-2 are allowed.

***Response to Arguments***

4. Applicant's arguments filed 9 December 2004 have been fully considered. The prior objection and 112 rejections of the claims have been withdrawn. Regarding claim 3, Applicant has stated that the media 20 of the applied Mitchell reference has cellular structure which is formed from a corrugated sheet of metal foil and cannot meet the

present recited claim limitations. However, regarding claim 3, the reference discloses an EMI-attenuating ventilation panel 10 for an electronic device enclosure comprising an electronically conductive base plate 24, and a plurality of polygonal vents 54 defined in the base plate, each of the vents having a plurality of sidewalls (walls of the vents along the periphery 22 of the planar media 20 provided with the vents) extending upwardly from the base plate on respective sides thereof. The claim only requires an EMI attenuating ventilation panel which is shown. The panel has a conductive base 24 and a plurality of polygonal vents. The walls of the vents provided along the periphery 22 extend upwardly from the base plate when the panel is fully assembled. Therefore, it is believed that the limitations have been met by the reference.

Regarding claim 13, it is shown that a vent in the central portion has five walls, or at least four walls. Therefore, it is sufficient to refer to only four of the walls as the four walls being recited.

### ***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuong T. Vu whose telephone number is (571) 272-2111. The examiner can normally be reached on Mon. & Tues., 7:30 AM - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kammie Cuneo can be reached on (571) 272-1957. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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